

REMARKS

As a result of the current amendment, Claims 1-4 and 6-15 are currently pending in this application. Claims 11, 12, and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0111139 (Nishiyama). Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nishiyama in view of U.S. Patent No. 5,742,492 (Matthews). Claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matthews in view of U.S. Patent Publication No. 2001/0006388 (Kim). Claims 5 and 7-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matthews, in view of Kim and further in view of Nishiyama.

It is gratefully acknowledged that Claims 6 and 13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claim 5 has been cancelled without prejudice.

First, in the Advisory Action, the Examiner states that “features upon which applicant relies (i.e., registering a menu) are not recited in the rejected claim(s)” (e.g., see, Advisory Action dated September 25 at Page 2). However, the Examiner’s statement is incorrect, as, for example, rejected Claim 5 (whose limitations have been incorporated

into independent Claim 1 as a result of this amendment) clearly states “wherein when a user registers a menu...”. Independent Claim 11 includes similar language. Accordingly, for at least the above-stated reasons, it is respectfully requested that the rejection of independent Claims 1 and 11 be withdrawn.

Moreover, to further support his argument, at Page 2 of the Advisory Action, while the Examiner acknowledges a member registration, the Examiner states “when a menu is register [sic] by a user” is disclosed by Nishiyama in FIG. 12 and Paragraph 67. However, after reviewing FIG. 12 and Paragraph 67 of Nishiyama, it is respectfully submitted that the Examiner is incorrect. FIG. 12 of Nishiyama illustrates a “Member Registration” menu and Paragraph 67 of Nishiyama discloses a “Member registration.” In other words, Nishiyama teaches registering as member of a Zoo so that the member can visit the Zoo. However, contrary to the Examiner’s assertion, Nishiyama does not teach or suggest registering a menu.

Regarding the Examiner’s rejection of independent Claim 11 under 35 U.S.C. §102(b), the Examiner states that Nishiyama teaches each and every element of Claim 11. Regarding the Examiner’s assertion that Nishiyama teaches the recitation of when a menu is registered by a user, generating a first menu plane including at least one menu registration slot associated with the registered menu; and registering the menu to a menu

registration slot of the generated menu plane, as recited in Claim 11, it is respectfully submitted that the Examiner is incorrect.

In addition to the above-stated arguments, in the Office Action, the Examiner equates that step of registering a menu by a user, as recited in the Claim, with the step of registering a member as taught in paragraph 67 of Nishiyama. With reference to paragraph 67 of Nishiyama, Nishiyama teaches a “ ‘Member Registration’” for registering a person to become a member of, for example, a zoo. This is fundamentally different than registering a menu (as opposed to a person), as recited in the Claims of the present invention. Therefore, Nishiyama does not teach or suggest registering a menu, as recited by the claims of the present application.

Accordingly, as Nishiyama does not teach or suggest each and every limitation of Claim 11, it is respectfully requested that the rejection under 35 U.S.C. §102(b) of Claim 11 be withdrawn.

Regarding the rejection under 35 U.S.C. §103(a) of Claim 1, Claim 1 has been amended and is further distinguished. The Examiner states that the combination of Matthews and Kim teaches each and every limitation of Claim 1. More specifically, the Examiner states that Matthews teaches each and every limitation of Claim 1 except for a

control unit for dynamically generating and deleting a plurality of menu planes according to a user's setting, each menu plane including at least one menu item, which the Examiner states is taught in Paragraphs 7-8 and 52 of Kim (Office Action dated May 18, 2006, at pp 4-5). After reviewing Kim, it is respectfully submitted that the Examiner is incorrect.

First, Kim discloses displaying menu lists on one screen and using a key operation to shift between menus (e.g., see, Kim FIG. 4). In other words, only a single menu is displayed and a key input is used to change menus. In contrast, as defined by the claims, the present application provides multi-dimensional navigation between menu planes, thereby enabling up/down/left/right movement between menu items in a state where the menu items are displayed. In this regard, Claim 1 includes the recitation of a control unit for enabling multi-dimensional navigation between the generated menu planes, which is neither taught nor suggested by Matthews or Kim or the combination thereof.

Second, Kim teaches a display window displaying menu items and further teaches typically two or three menu items can be displayed on the display window. Kim further teaches moving the cursor down to view items not displayed on the display (e.g., see paragraphs 7-8). Although Kim teaches an "EZ mode menu," Kim teaches this menu is fabricated at a mobile station manufacturer and a user merely adds/subtracts menu items

to/from the EZ mode menu (e.g., see paragraph 52). Moreover, the EZ mode menu is a single menu listing and corresponding submenu items. In other words, the EZ mode menu is a single menu which contains menu items (as opposed to menu planes) which may be deleted. In contrast, Claim 1 includes the recitation of a control unit for dynamically generating and deleting a plurality of menu planes according to a user's setting, each plane including at least one menu item, which is neither taught nor suggested by the combination of Matthews and Kim.

Moreover, while acknowledging that the combination of Matthews of Kim fails to teach or suggest the recitation of wherein when a user registers a menu, the control unit generates a plurality of menu planes including at least one user menu registration slot connected to the registered menu, and, if a menu selection cursor moves from at least one user menu registration slot in a first menu plane of the plurality of menu planes so as to exit the first menu plane, the control unit moves the menu selection cursor to a second menu plane of the plurality of menu planes, the Examiner states that this recitation is taught by Nishiyama (e.g., see, Office Action dated May 18, 2006). However, it is respectfully submitted that the Examiner is incorrect.

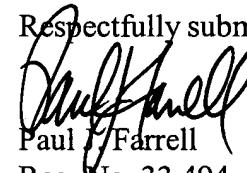
As stated above, Nishiyama does not teach or suggest registering a menu. Furthermore, Nishiyama does not teach or suggest the statements that depend upon the

conditional statement of amended Claim 1. Moreover, the Examiner states that Nishiyama teaches in Paragraph 67 and FIGs. 11 and 12, the recitation of if a menu selection cursor moves from at least one user menu registration slot in a first menu plane of the plurality of menu planes so as to exit the first menu plane, the control unit moves the menu selection cursor to a second menu plane of the plurality of menu planes, as recited in amended Claim 1. However, FIG. 11 of Nishiyama merely illustrates a data communication means and FIG. 12 and paragraph 67, which, as discussed above, merely illustrate a “Member Registration.” The cited passages and FIGs. of Nishiyama do not teach or suggest the recitation of wherein when a user registers a menu, the control unit generates a plurality of menu planes including at least one user menu registration slot connected to the registered menu, and, if a menu selection cursor moves from at least one user menu registration slot in a first menu plane of the plurality of menu planes so as to exit the first menu plane, the control unit moves the menu selection cursor to a second menu plane of the plurality of menu planes, as recited in amended Claim 1. Accordingly, as this deficiency is not cured by Matthews or Kim, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of Claim 1 be withdrawn.

Claims 24 and 6-10 and 12-15 are dependent claims; accordingly, if the above amendments and arguments place the independent claims into condition for allowance, then these dependent claims will also be in condition for allowance.

Accordingly, all of the claims pending in the Application, namely, Claims 1-4 and 6-15, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,


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